IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 20TH NOVEMBER 2007 / 29TH KARTHIKA 1929

Bail Appl..No. 7072 of 2007()

CMP.5853/2007 of J.M.F.C.,MAVELIKKARA
CRIME NO.77/2007 OF MAVELIKARA EXCISE RANGE

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PETITIONERS/ACCUSED:

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1. ANILKUMAR, AGED 28 YEARS,
   S/O.KUTTAPPAN, OTTATHEGIL VEEDU,
   PATHIYUR KIZHAKKUM MURI,
   PATHIYUR VILLAGE, KARTHIKAPALLY TALUK,

2. SUNILKUMAR AGED 26 YEARS
   ----DO----------

3. SURESH AGED 36 YEARS,
   VALIYATH VEEDU, KEERIKADU BHAGAM,
   PATHIYUR VILLAGE, KARTHIKAPALLY TALUK,

BY ADV. SRI.K.JAISHANKAR
SMT.K.M.SHISHA

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY THE
   PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
   ERNAKULAM.

2. EXCISE INSPEPCTOR,
   MAVELIKARA EXCISE RANGE.

BY PUBLIC PROSECUTOR SRI.S.U.NAZER

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 20/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J.

B.A.No.7072 of 2007

Dated this the 20th day of November 2007

O R D E R

Application for regular bail. The petitioners face allegations under the Kerala Abkari Act. They were allegedly found to be in possession of 850 litres of wash and 50 litres of arrack on 22/5/2007. They surrendered before the learned Magistrate on 27/9/2007. They have been continuing in custody from that date. Investigation is not complete. Final report has not been filed.

2. The learned counsel for the petitioners prays, the learned Public Prosecutor does not oppose the said prayer on condition that the investigating officer is granted the full complement of sixty days to complete the investigation and I am satisfied that regular bail can be granted to the petitioners subject to appropriate conditions.

3. In the result, this petition is allowed. The petitioners can now be enlarged on bail on the following terms and conditions:

i) The petitioners shall not be released on bail on the strength of this order prior to 27/11/2007. The investigating officer shall, in the meantime, make every endeavour to complete the investigation.

ii) They shall execute bonds for Rs.1,00,000/- (Rupees one lakh only) each with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

iii) The petitioners shall make themselves available for interrogation before the investigating officer between 10 a.m and 12 noon on all Mondays and Fridays for a period of two months from the date of their release and thereafter as and when directed by the investigating officer in writing to do so.

(R.BASANT, JUDGE)

jsr

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007